

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Tyrone Hurt, :
: Plaintiff(s), :
: Case Number: 1:14cv436
vs. : Chief Judge Susan J. Dlott
Donald Sterling, :
: Defendant(s). :
:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on May 29, 2014 (Doc. 2), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired June 16, 2014, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's motion to proceed *in forma pauperis* is **DENIED**.

Plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B).

Plaintiff is declared a harassing and vexatious litigator, and therefore is **ENJOINED AND PROHIBITED** from filing any additional complaints in the Southern District of Ohio which have not first been certified as non-frivolous by an attorney in good standing in this Court or the jurisdiction in which he or she is admitted, and which are accompanied by payment of the full filing fee.

The Clerk of Court is specifically directed not to accept any such pleading from plaintiff absent compliance with the above restrictions, and will be instructed to dispose of such documents accordingly.

The Court will certify pursuant to 28 U.S.C. §1915(a) that an appeal of any Order adopting the Report and Recommendation will not be taken in good faith and deny plaintiff leave to appeal *in forma pauperis*. Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. *See Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999), overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court